

APPENDIX C

memorandum

Date: September 27, 2007
To: File
From: Sarah C. Carranceja
File: S61:36912
Subject: Current Status of Application

I spoke with Examiner Neuder (@ 9:44 a.m.) regarding the status of the above-referenced application. He informed me that he did speak with Mr. Meyers (of the Special Program Examiners Department) and Mr. Meyers still did not feel that the application was in condition for allowance and hence, recommended that Examiner Neuder issue a Notice of Abandonment.

Mr. Meyers also stated that we have 7 months from the date we filed the Notice of Appeal (we filed it on September 7, 2006). However, since the PTO has had the matter in their possession since September 2006, Examiner Neuder agreed that we can request to have the petition fee waived for the Notice of Abandonment because it was a PTO error.

Thus, we need to wait for the Notice of Abandonment and respond thereto with a Petition to Revive the Application (making special note that the petition fee be waived because of PTO error).

CM/scc

SCC PAS757514.1-*-09/27/07 10:00 AM